



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Neil H. Bander
Serial No. : 09/929,665
Filed : August 13, 2001
Title : TREATMENT AND DIAGNOSIS OF PROSTATE CANCER

Art Unit : 1643
Examiner : Stephen L. Rawlings

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

DECLARATION OF AVAILABILITY

I, Laurie Butler Lawrence, hereby declare:

1. I am an attorney of record in the above-captioned patent application.
2. Cornell Research Foundation is the assignee of the entire right, title and interest in the invention described and claimed in the above-captioned patent application.
3. Under the terms of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purpose of Patent Procedure, four hybridomas disclosed in above-referenced patent application were deposited by the inventor Neil Bander with the American Type Culture Collection, 12301 Parklane Drive., Rockville, MD, 20852, USA, where they were given Accession Numbers HB-12101, HB-12109, HB-12126, and HB-12127.
4. Cornell Research Foundation agrees that upon allowance and issuance of the above-captioned patent application as a United States Patent, all restrictions on the availability to the public of the deposits will be irrevocably removed, and until such time, the materials will be available during the pendency of the patent application to one determined by the Commissioner to be entitled thereto under 37 C.F.R. 1.14 and 35 U.S.C. § 122.
5. Cornell Research Foundation further agrees that the deposited materials will be maintained with all the care necessary to keep it viable and uncontaminated for a period of at least five (5) years after the most recent request for the furnishing of a sample of one of the deposited materials, and in any case, for a period of at least thirty (30) years after the respective deposit date for each of the deposits or for the enforceable life of the patent, whichever period is longer and that the deposited materials will be replaced if the depository should be unable to furnish a sample when requested due to the condition of the requested deposit, such as inviability, contamination, or loss of capability to function in the manner described in the specification.
6. All statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with

the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 2/2/07



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